

ROB BISHOP
1ST DISTRICT, UTAH

123 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-0453

324 25TH STREET
SUITE 1017
OGDEN, UT 84401
(801) 625-0107

6 NORTH MAIN STREET
BRIGHAM CITY, UT 84302
(435) 734-2270



Congress of the United States
House of Representatives
Washington, DC 20515-4401

April 19, 2013

COMMITTEE ON
ARMED SERVICES

COMMITTEE ON
NATURAL RESOURCES

CHAIRMAN, SUBCOMMITTEE ON
PUBLIC LANDS AND ENVIRONMENTAL
REGULATION

COMMITTEE ON RULES

CONGRESSIONAL WESTERN CAUCUS
IMMEDIATE PAST CHAIRMAN

10TH AMENDMENT TASKFORCE
CHAIRMAN

The Honorable Chuck Hagel
Secretary of Defense
Room 3E880 – The Pentagon
Washington, D.C. 20515

Dear Mr. Secretary:

During your recent appearance before the House Armed Services Committee on Thursday, April 11, 2013, I asked of you whether or not the Department of Defense had been consulted by the Federal Aviation Administration (FAA) with regard to the FAA's proposal to close-down various contracted air control towers across the United States and with specific reference to those towers located near military bases with significant flight operations, such as Ogden Hinckley Airport, which is located less than 3 miles from the approach to the main runway at Hill Air Force Base.

You replied that you were not aware of any such consultations between DoD and the FAA, but you agreed that FAA tower closures could be a potentially serious problem to military operations, and you indicated that you would ask your staff to look into the matter and get back to the Committee and me.

I have since become aware of testimony of FAA Administrator Michael Huerta, given before the Senate Committee on Commerce, Science and Transportation on Tuesday, April 16th, which indicates that the FAA had consulted with the U.S. Air Force on the towers issue and that the FAA, "[c]onsulted with the Defense Department and we did accept every one of their priority contract towers that they felt needed to be kept open," and "[w]e accepted every one that they [the Air Force] identified." (Quoting FAA Administrator Huerta, in response to questioning by Senator Mark Prior (AR), See Senate Committee Transcript, April 16, 2016, at page 7, enclosed).

Despite serious safety concerns expressed at the local base level at Hill AFB regarding the FAA's closure proposal, I am personally aware that no one at the local base level was contacted either by Air Force headquarters staff, or the Office of the Secretary of Defense, or the FAA, regarding safety impacts or operational impacts on vital military flight operations at Hill AFB, including those of the 388th and 419th Fighter Wings.

The Honorable Chuck Hagel

PAGE 2:

April 19, 2013

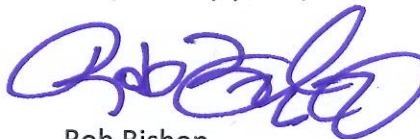
Inasmuch as it now appears that there is testimony on the public record by FAA Administrator Hureta asserting that consultations did take place between the FAA and the U.S. Air Force on contract towers closures, I am writing to ask you:

- (1) Is Administrator Huerta's testimony accurate, that consultations with the Air Force and DoD did take place on the FAA's proposed tower closures?
- (2) If consultations did take place, could you please provide my office with a list of the top DoD or Air Force officials who were responsible for engaging in those consultations, along with any supporting analysis or documentation, particularly as it pertains to the Ogden Hinckley Airport and impacts to Hill AFB flight operations?

If there are any problems or questions regarding this formal request, please communicate them to me directly, or to my senior staff defense advisor and counsel, Steve Petersen, at 202-225-0453.

In conclusion, I appreciate you taking time to review this request, and I look forward to your prompt, written reply.

Respectfully yours,



Rob Bishop
Member of Congress

RHB:sp
Enclosure (1)

cc: The Honorable Howard P. "Buck" McKeon

~~PRYOR: But have you talked to all the communities that have been impacted?~~

HUERTA: Well, we've talked to the -- we've had a number of conference calls with the association that represents all the contract towers and we have provided regular communication to all the communities.

PRYOR: All right. Let me ask about your criteria and the things you considered when you did this. We have -- one example in Arkansas is we have Texarkana, Arkansas which straddles the line between Texas and Arkansas. And that airport has a limited line of sight. And did you all take that into consideration when you -- when you made the decision about how important the tower is to that particular airport?

HUERTA: We did look at, in addition to the large criteria -- number of operations, number of commercial operations, how they serve or benefit an adjacent hub airport, how they are -- how they might relate in serving broader interstate objectives. And then looking at the facility itself, how they actually operate within the framework of -- of their day-to-day operations.

It is important to point out that every one of these towers except one is closed for a significant portion of every day. And so, they have existing rules of how they operate in a non-towered capacity. And therefore, when they convert to 24-hour non-towered operations, they simply revert to those rules.

Yes, it does have impacts on efficiency, as I've talked about, but there are close to 5,000 public-use airports in the country that operate every day in a non-towered capacity. The important thing is making sure that you have the procedures in place to operate in a safe fashion.

PRYOR: OK. Well, you mentioned, one of the factors you consider was whether they have commercial flights, et cetera.

HUERTA: Sure.

PRYOR: This particular airport in Texarkana also handles 5,000 military transits a year. You didn't mention the military in your statement. And this runway 04 has the only ILS back-course approach within range of several military training bases. So did you take military usage of the Texarkana Airport into account?

HUERTA: We consulted with the Defense Department and we did accept every one of their priority contract towers that they felt needed to be kept open.

PRYOR: We have a similar situation at the Fayetteville, Arkansas airport. The Little Rock Air Force Base is, I don't know, 150 or so nautical miles from there. And they -- the Little Rock Air Force Base is a C-130 training base. They like to land in Fayetteville because it's a little more urban. It's in a hillier, mountainous environment. And it does have a shorter runway. So did you consult the Air Force before you made that decision on Fayetteville?

HUERTA: We consulted with the Air Force to identify their priority towers nationwide. And we accepted every one that they identified.

PRYOR: OK. Have you shared the criteria that you've used with the airports? And the reason I ask is because Fayetteville -- the city of Fayetteville has told me that they've been unable to get your criteria that you used. In fact, they indicated that you really haven't shared much information with them at all.

HUERTA: One-hundred-fifty-thousand flight operations, 10,000 commercial operations -- that's the first cut, below that threshold. Second, do they serve a function that supports a large hub airport? Third, are there national security or national defense considerations that we determined in consultation with the Department of Defense and the Department of Homeland Security?

Beyond that, then it's -- one thing that we did not consider is impact on a local community. We did look at impacts that exist far beyond a local community.

PRYOR: Thank you, Mr. Chairman.